

REMARKS**A. Status of the Claims and Explanation of the Amendments**

Currently, claims 1-8 are pending, with claims 4 and 5 being withdrawn. Claims 1-3 and 6 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,190,751 to Sylvester (“Sylvester”) in view of U.S. Patent No. to Sellew (“Sellew”). Claims 1-2 and 6-8 have been rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,595,525 to Schmidt (“Schmidt”).

In this paper, Applicant has amended claim 1 so that it now recites, *inter alia*, “[a] seal for an optical unit...wherein at least one edge of said seal comprises no lip.” Support for this amendment is generally found throughout the specification (e.g., see Figure 2 and 3). Applicant respectfully submits that no new matter has been added by this amendment.

B. Applicant’s Claims Are Patentable Over Sylvester and Sellew

Applicant respectfully traverses the rejection of claims 1-3 and 6 as allegedly being unpatentable over Sylvester in view of Sellew. Briefly, none of these references, alone or in combination, teaches or suggests “[a] seal for an optical unit...wherein at least one edge of said seal comprises no lip” as recited in Applicant’s claims. Accordingly, the rejection of claims 1-3 and 6 under 35 U.S.C. §103(a) should be withdrawn. MPEP §2143.

According to the Office Action, “Sylvester discloses a gasket comprising a sheet of flexible material having an orifice (figure 2). The sheet can have various materials of different hardness, a skin, and a cellular material”. The Office Action acknowledges, however, that “Sylvester does not disclose a lip on the edge of the seal”. For this claim element, the Office Action relies on Sellew, asserting that “Sellew teaches using a lip(s) on an edge to improve sealing particularly where there are imperfections in the mating surface (see col. 2, lines 28-39).”

However, even if Sellew teaches using lips to improve sealing, Applicant does not see where Sellew teaches, discloses, or suggests “[a] seal for an optical unit...wherein at least one edge of said seal comprises no lip” as recited in Applicant’s claim 1 and corresponding dependent claims.

Because the proposed combination of Sylvester and Sellew fails to teach, disclose, or suggest all of the claim elements, the rejection of claims 1-3 and 6 should be withdrawn. MPEP §2143. Reconsideration and withdrawal of the rejections of these claims are respectfully requested.

C. Applicant’s Claims Are Not Anticipated by Schmidt

Applicant respectfully traverses the rejection of claims 1, 2, and 6-8 as allegedly being anticipated by U.S. Patent No. 6,595,525 to Schmidt. Briefly, Schmidt fails to teach, disclose, or suggest all of the claim elements of Applicant’s invention. Accordingly, the rejection of these claims should be withdrawn. MPEP §2131.

According to the Office Action,

Schmidt discloses a seal comprising a sheet of flexible material 16 with [an] internal orifice. The flexible material comprises a self-adhesive skin 24. The seal comprises at least two lips 28 along an edge arranged perpendicular to the material 16. The lips are a different material and thus hardness from the material 16 and as seen in Fig. 2, one of the lips (i.e., one of the two at the top part) is located only along a portion of the seal. [Office Action, page 3].

Applicant, however, does not see where Schmidt teaches or discloses “[a] seal for an optical unit...wherein at least one edge of said seal comprises no lip” as recited in Applicant’s claim 1 and corresponding dependent claims. In particular, Figure 2 of Schmidt clearly shows that a lip 28 is present on all edges of the seal. Accordingly,

because Schmidt fails to teach, disclose, or suggest all of the claim elements of Applicant's claims, the rejection of claims 1, 2, and 6-8 under 35 U.S.C. §102(e) should be withdrawn. Reconsideration and withdrawal of the rejection of these claims are respectfully requested.

CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

AUTHORIZATION

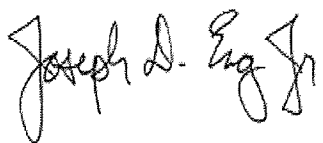
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. **13-4500**, Order No. 1948-4821.

In the event that an extension of time is required, or which may be required in addition to that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No. **13-4500**, Order No. 1948-4821.

Respectfully submitted,
MORGAN & FINNEGAN, L.L.P.

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By:



Joseph D. Eng Jr.
Registration No. 54,084

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.
3 World Financial Center
New York, NY 10281-2101
(212) 415-8700 Telephone
(212) 415-8701 Facsimile